

**Planning Commission  
Public Hearing  
June 23, 2020**

The meeting was called to order by Chairwoman Rebecca Bush and the secretary called the roll.

Present: Nixon Adams, Ren Clark, Simmie Fairley, Brian Rhinehart, Jeff Lahasky, and Rebecca Bush

Absent: Bill Sones

Also Present: Louisette Scott, Director, Planning Department; Cara Bartholomew, Planner

The only planning case also had a corresponding zoning case and both cases were discussed in conjunction. The planning case discussed was R20-06-03 Lavell Sherrell Etux requests a resubdivision of lots 15, 16, 17, 18, 19 and 20, square 49 into lots 20A and 20B, 724 Marigny Avenue, zoned R-1 and the zoning case was V20-06-21 Lavell and Kathryn Sherrell requests a variance to Section 7.5.1.3, R-1 Site Development Regulations, 724 Marigny Avenue, zoned R-1.

Ms. Scott presented that the applicants owned six lots, Lots 15, 16, 17, 18, 19 and 20 in Square 49 located at 724 Marigny Avenue on the west side of Marigny Avenue between Villere (Tammany Trace) and Montgomery Streets. The property was improved with a single-family residence located on the center two lots, a portion of Lots 17 & 18. Of the six lots, Lots 15 & 20 each measured 33' in width and Lots 16, 17, 18 & 19 each measured 40' in width. The parcel has a total frontage on Marigny Avenue of 226.20' by a depth of 128', and contained 28,948 sq. ft (.67 acres).

*The applicant stated on the application:*

*We are attempting to build a home on lots 15 and 16. The lot will be gifted to my daughter in order to have our families close. Due to the current placement of my house on lots 17 and 18, we need to request a variance to meet all criteria necessary. We are unable to move my current home to meet all necessary requirements. The only variation would be 80' of frontage. All other criteria are met.*

To donate a portion of these lots to their daughter, they were required to resubdivide the property to create two separate lots. A resubdivision plat had been submitted that proposed the creation of two lots, lot 20B and Lot 20A. Proposed Lot 20B contained the existing single family residence and measured 145.20' frontage on Marigny Avenue by a depth of 128' and contains 18,710 square feet. Due to the width of the lot, 146.20' the building side yard setbacks were 20' each side. The setback on the north side was 85' and on the south side, adjacent to proposed lot 20A, is 14'. The CLURO allowed for a shifting of side yard setbacks by 30% or in this case, the south side may be reduced by 6'. (north side increased by 6') The proposed 14' setback was compliant.

Proposed Lot 20A: Due to the location of the existing house, proposed lot 20A was proposed with an 80' frontage, instead of the minimum required frontage of 90'. The existing depth of the property was 128', which was 8' deeper than the minimum 120' required, but due to proposed lot width, the total area of proposed lot 20A was 10,228 square feet or 562 square feet less than the minimum 10,800 square feet required.

The applicants were requesting a variance to CLURO Section 7.5.1.3, R-1 Site Development Regulations to the minimum required frontage of 90' to allow 80' frontage and to the minimum lot area from 10,800 to 10,228 square feet, a deficiency of 562 square feet.



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	Frontage	Depth	Square Footage	+/- 10,800 min.	Required Side Setback	Flexibility (30%)	South Side Setback	North Side Setback
Existing lots 15-20	226.8'	128'	28,948	+18,148	20' each side	6'	105'	85'
Proposed Lot 20A	80'	128'	10,238	-562	13' each side			
Proposed Lot 20B (exist house)	226'	128'	18,710	+7910	20' each side	6'	14'	83'

Fire District 4 had stated they had no comment regarding the proposed resubdivision. The Department of Public Works had provided the cost to install both water and sewer services to the proposed lot. The information was forwarded to the applicant.

The applicant stated that the improvements with encroachments would be removed or moved to another location on the property. A site plan for the new residence had been reviewed and would meet all R-1 site development criteria.

Mr. Adams said there was enough land for two houses and there were no setback deficiencies being requested.

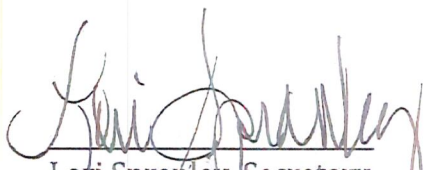
Stacy Kraus, applicant's daughter, stated the case had also been reviewed by the Design Review Commission who also recognized the existing house could not be moved and all other requirements were met.


Mr. Rhinehart said with six lots there was enough area for two houses. Mr. Lahasky said there should be notes on the plat that the encroachments would be removed for any future sales. Ms. Kraus said the canopy would be moved to the new driveway.

Mr. Lahasky moved to approve the resubdivision request and the variance with the notes that the encroachments would be removed, seconded by Mr. Rhinehart. Mr. Clark asked what would happen in future resubdivision on lot 20B. Mr. Adams said there could be no restrictions because there was the ability to request a variance and regulations may change in the future. The motion was unanimously approved.

There was a discussion that the next meetings on July 14th and 28th would be under Phase 2. The commission decided to hold the meeting at the Mandeville Community Center which would accommodate approximately 60 people. The location could change based on the Governor's orders.

Ms. Bush moved to adjourn the meeting, seconded by Mr. Adams and was unanimously approved.

  
Lori Spranley, Secretary

  
Rebecca Bush, Chairwoman  
Planning Commission



## Zoning Commission Public Hearing

The meeting was called to order by Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Ren Clark, Simmie Fairley, Brian Rhinehart, Jeff Lahasky and Rebecca Bush

Absent: Bill Sones

Also Present: Louisette Scott, Director, Planning Department; Cara Bartholomew, Planner; Mayor Donald Villere and Council Member Mike Pulaski

Mr. Adams announced that written notice of decisions regarding zoning variances will be filed in the Board's office the following day of this meeting at which time applicable appeal time will begin to run.

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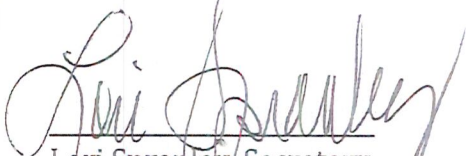
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